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Counsel for Defendant-Intervenors American Gas Association, American Petroleum Institute, American Public Gas Association, Association of Oil Pipe Lines, and Interstate Natural Gas Association of America

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

CENTER FOR BIOLOGICAL
DIVERSITY, SIERRA CLUB,
MONTANA ENVIRONMENTAL
INFORMATION CENTER, FRIENDS
OF THE EARTH, and
WATERKEEPER ALLIANCE, INC.,
Plaintiffs,

v.

LIEUTENANT GENERAL SCOTT A.
SPELLMON, in his official capacity,
and U.S. ARMY CORPS OF
ENGINEERS,

Defendants,

STATE OF MONTANA,
Defendant-Intervenor,
and

AMERICAN GAS ASSOCIATION, et
al.,
Defendant-Intervenors.

Case No. CV-21-47-GF-BMM

**NWP 12 COALITION'S
UNOPPOSED MOTION TO
APPEAR BY VIDEO
CONFERENCE OR TELEPHONE
FOR THE JUNE 9, 2022 MOTION
HEARING**

Defendant-Intervenors American Gas Association, American Petroleum Institute, American Public Gas Association, Association of Oil Pipe Lines, and Interstate Natural Gas Association of America (collectively, “the NWP 12 Coalition”) respectfully move this Court for leave to allow Karma Brown, counsel for the NWP 12 Coalition, to appear for the hearing on June 9, 2022 by video conference or, in the alternative, telephone.

Plaintiffs, the Federal Defendants, and Defendant-Intervenor the State of Montana do not oppose this motion. In support of this motion, the NWP 12 Coalition states as follows:

1. On June 3, 2022, this Court issued an Order resetting the hearing on the pending cross-motions for summary judgment (Docs. 44, 61, 66) from June 6, 2022, to June 9, 2022, at 2:30 p.m. in Great Falls, Montana. (Doc 86).
2. Ms. Brown is based in Washington, D.C. Her daughter has a local graduation ceremony on Wednesday, June 8, and Ms. Brown will be unable to travel to Montana by June 9, to attend the hearing in person.
3. Deidre Duncan, co-counsel for the NWP 12 Coalition, also based in Washington, D.C., will be unable to attend the hearing because her daughter has a local graduation ceremony on Thursday, June 9.
4. Brianne McClafferty, co-counsel for the NWP 12 Coalition, will attend the hearing in person.

5. Local Rule 7.1(e) allows argument by video conference or telephone.
6. Counsel for the Coalition can coordinate with the office of the Clerk of Court for the District of Montana to set up the remote appearance.
7. Counsel for the Coalition conferred with counsel for the other parties by email on June 3 and June 6, 2022. Plaintiffs, Federal Defendants, and the State of Montana do not oppose this motion.

Therefore, the Coalition respectfully requests that the Court enter an order granting this motion and allowing Ms. Brown to appear via video conference or telephone for the hearing scheduled for June 9, 2022. A proposed order is attached to this motion and will be emailed to the Court.

Date: June 6, 2022

Respectfully submitted,

/s/ Karma B. Brown

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Association of America

CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2022, I filed the above NWP 12 Coalition's Unopposed Motion to Appear by Video Conference or Telephone for the June 9, 2022 Motion Hearing with the Court's electronic case management system, which caused notice to be sent to all parties.

/s/ Karma B. Brown